R. Dis File No. 9(23)

1939.

Collection No.

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Resident's Office

Bangalore

(W)

Pros. / Serial Nos. 1 – 10

(13) P

Subject.

Grant of Succession Certificate in favour of H. B. T. Aswathanarayana another, in the matter of the Estate of late B. V. R. Thimmiah Chetty, Merchant, Bangalore City

Previous References.

Later References.

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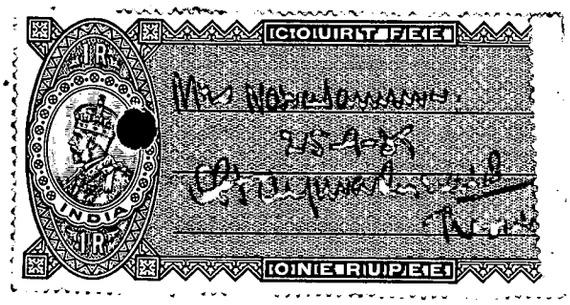


SN.1

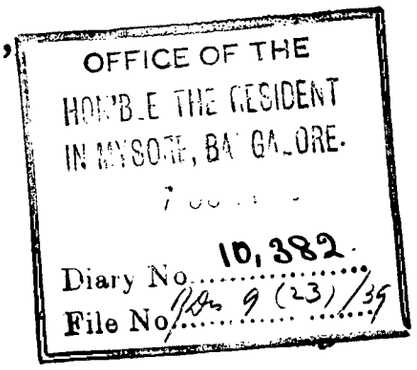
L

BEFORE THE HONOURABLE RESIDENT IN MYSORE,

BANGALORE.

Petition No. 388 of 1939.

IN THE MATTER OF ESTATE OF THE LATE B.V.R. THIMMIAH CHETTY MERCHANT, BANGALORE CITY.



Petitioners:- 1. B.T. Aswathanarayana aged about 12 years.
2. B.T. Ramaswamy, aged about 9 years.
Both sons of the late B.V.R. Thimmiah Chetty, Hindus by religion, by next friend and guardian Mrs. Narasamma, Grand-mother of the said minors, residing at Gollarpet, Bangalore City.

Under Section 382 of the Indian Succession Act, the petitioners abovenamed beg to state as follows:-

1. That their address for purposes of notices, summonses and other processes issued from this Office is either as given as above or care of their Counsel, Mr. A.J. Khaleel, B.A.,B.L., Advocate, Commercial Street, C. & M. Station, Bangalore.

2. That the petitioners and their deceased father formed a joint and undivided Hindu family and these petitioners are entitled as reversionaries thereof to all the estate and

P. T. O.

2

effects of the said deceased.

3. The said deceased died on or about 12-1-1936 in ~~the~~ Gollarpet in the City of Bangalore and had interest in a Policy of Insurance taken out with the Oriental Government Security Life Assurance Company Limited, incorporated under the Companies Act of British India with its Head Office at Bombay and Branch Office at the Civil and Military Station, Bangalore; the Policy was numbered as 365688 and a sum of Rs. 820/- is found to be due thereon. The present petition relates to the succession of these petitioners in respect of the sum due under the said policy.

4. Under the Mithakshara Law governing the parties these petitioners alone are entitled to the estate of the deceased.

5. The deceased has not left behind him any other heir or legal representative nor has he left any will, Codicil or Testament evidencing the dispossession of his properties. Except Venkatasamy Chetty, L.H. no other near relative residing at Gollarpet, Bangalore city.

filed an affidavit (SW 5)

6. There is no sort of impediment whatsoever for the grant of the succession certificate as prayed for.

P.T.O.

Wherefore it is respectfully prayed that the Hon'ble the Resident in Mysore be kindly pleased to grant a certificate ~~a certificate~~ authorising these petitioners to collect the sum due under the Policy No.365688 of the Oriental Government Security Life Assurance Co., Limited, for which act of justice they ever pray.

Left Thumb mark of Narasamma.

Guardian of the Petitioners.

A.J. Wallis
Advocate for Petitioners.

I, Narasamma abovenamed declare that the facts mentioned herein are true to my knowledge, except as to matters stated to be on information and belief, and as to those matters I believe them to be true.

Left Thumb mark of Narasamma.

Bangalore,

21-9-1939.
7-10-39.

Guardian of the Petitioners.

14

COURT FEE
Mrs Narasamma.
25-9-39
TWO RUPEES

Hon'ble the Resident in Mysore,

IN THE COURT OF THE ..... BANGALORE.

Petition No. Of 1939 ~~19~~—

Petitioners:—
1) B. T. Aswathanarayana
2) B. T. Ramaswamy
Minors by next-friend & Guardian
Mrs. Narasamma.

VS.

1. I, Narasamma abovenamed do by these presents, retain Mr. ~~N. S. Narayana Rao, B. A., LL. B.~~, A. J. Khaleel B.A., B.L. Advocate ~~Legal Practitioner~~, Bangalore, to appear and conduct the above case on my behalf to judgment.

2. I further empower him to do all necessary acts in the above case, to execute any decree or order that may be passed in my behalf and to receive from the Court all documents, refunds, and all sums of money that I may be entitled to get and grant receipts therefor.

3. I jointly or severally also undertake to confirm and ratify all acts done by the said Vakil or by any other Vakil or Advocate on his behalf.

Bangalore,

Left Thumb mark of Narasamma.

Dated 21st Sept 1939.

Signature.

Personally Known to me
and signed in my presence

Accepted,

Advocate.
~~Legal Practitioner.~~

5

Before the Hon'ble the Resident in Mysore, Bangalore.

Petition No. of 1939.

Petitioners:- B.T. Aswathanarayana and another minors by guardian Mrs. Narasamma.

Fee Certificate.

This is to certify that I have received the regulation fee from the petitioners in the above case.

Bangalore,
21-9-1939.

7/10/39

D. J. Uhler
Advocate for Petitioners.

S. N. 4. ~~A.V.S.~~

9

A.Rao
18.x.39

M. chetty

Before the Honourable Resident in Mysore, Bangalore.

C.D. F 9/23

Petition No. of 1939.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
18 OCT 1939
Diary No. 10,661
File No.....

In the matter of estate of the late B.V.R. Thimmiah Chetty, Merchant Bangalore City.

Petitioners:- 1. B.T. Aswathanarayana and another minors by guardian Mrs. Narasamma.

Affidavit of V. Venkataswamy Chetty.

I, V. Venkataswamy Chetty merchant son of Vankayalu Hanumanthappa, aged about 35 years, Hindu by caste, residing at Gollarpet, Bangalore City, do solemnly and sincerely affirm and state as follows:-

Narasamma (Mrs. B.V. Ramaswamy Chetty, Advocate) who is the grand-mother of the children of late B.V.R. Thimmiah Chetty has been appointed guardian of the properties of the minors in Miscellaneous No. 101 of 1935-36 on the file of the District Judge Bangalore Division.

I am related to late B.V.R. Thimmiah Chetty as cousin, being his maternal aunt's son and I was living with him till the date of his sad demise. I am interested in the well being of the minors. The interest of the minors are quite secured in the hands of Narasamma the grand-mother and guardian appointed by District Court, Bangalore Division.

P. T. O.

16

I have no objection for this Honourable Court to grant succession certificate to the above said Narasamma to collect the amount due from the Oriental Government Security Life Assurance Company Limited under policy number 365688.

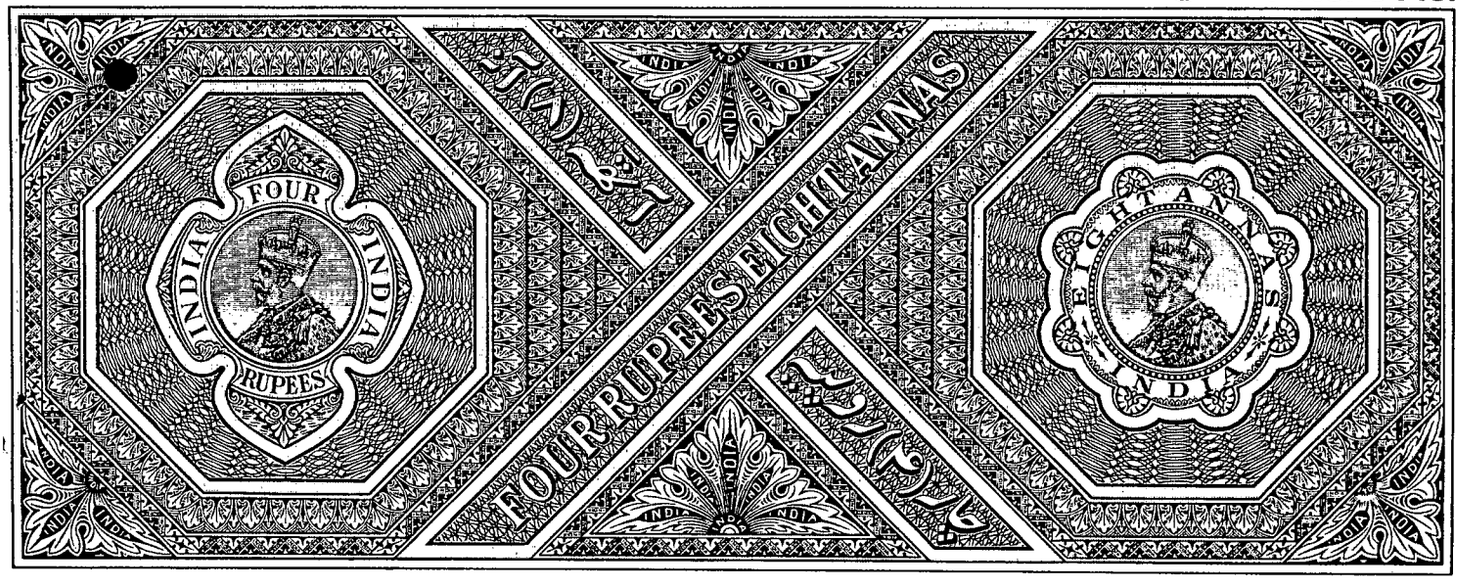
C. Venkataswamy Chetty
Signature.

Bangalore,
11-10-1939.

Solemnly affirmed before me,

14/10/39
C. Nagaraja
Dt Court

13 4 Rs. 8 As.



चार रुपया आठ आना

B O N D.

Res.Mysore 24.

BEFORE THE HON'BLE THE RESIDENT IN MYSORE AT BANGALORE.

Application in file R.F. No. 9 (23) of 1939 for a certificate under section 382 of the Indian Succession Act, 1925 (Act XXXIX of 1925), in the matter of the estate of B.V.R. Thimmiah Chetty, who was ordinarily residing at Bangalore City, now deceased.

Applicants:- 1. B.T. Aswathanarayana, 2. B.T. Ramaswamy, minors by next friend Mrs. Narasamma, residing at Gollarpet, Bangalore City.

Know all men by these presents that we, (1) Mrs. Narasamma, widow of late B.V. Ramaswamy Chetty, Applicants' next friend, and (2) Y.V. Srinivasa Murthy, son of Y. Venkatasubbiah, Proprietor, New Swadesi Perfumary Works, Hoovadigar Lane, Chickpet, Bangalore City, Surety, are jointly and severally bound to the British Resident in Mysore for the time being, in the sum of Rs 820/- (Rupees Eight-hundred and Twenty only) to be paid to the said British Resident in Mysore, for which payment to be made we bind ourselves and each of us, in the whole, and each of our heirs, executors and administrators, jointly and severally.

Dated this 4th day of July 1940.

Now the condition of the above written bond is such that if

- the

THE HONBLE THE RESIDENT & TREASURER
No.
17 MAY 1940
B'LORE

Sol'a to Mrs. Narasamma.

Sh. Varadaswamy
Treasurer
17-5-40

the said Mrs. Narasamma, shall within one year from the grant to the applicants of a certificate under the Indian Succession Act, 1925, exhibit in the office of the said British Resident in Mysore, a full and true account of all moneys received on account of the estate of the late B.V.R. Thimmiah Chetty of the value of Rs 820/- and shall deliver and pay the same unto such person or persons as shall be lawfully entitled thereto, then the above bond shall be void and of no effect, other-wise, it shall remain in full force.

Witnesses:-

1. V. Venkatesh Swamy Chetty
21. Gollarpet, Bangalore City.
2. [illegible]

Left thumb mark of Mrs Narasamma
Signature of applicants' next-friend.

Attested by.

Y.V. Sreenivasa murthy

Signature & address of Surety.

Before me.

S. Doreswamappa
Personal Assistant 4/7/40 to the Deputy-Commissioner and Ex-officio Judicial Magistrate, Bangalore

Certified that Mysore Stamp Duty of Rs (6-12-0) due on this bond has been received and credited to Bangalore Taluk Treasury (Vide C.No 157 dated 2.7.40)

S. Doreswamappa
4/7/40 For Deputy-Commissioner
Bangalore District